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(b) *Type evaluation laboratories.* Any State measurement laboratory currently certified by NBS in accordance with its program for the Certification of Capability of State Measurement Laboratories to conduct evaluations under the National Type Evaluation Program is approved by the Service.

(Approved by the Office of Management and Budget under control number 0580-0011)

[51 FR 7052, Feb. 28, 1986, as amended at 54 FR 5925, Feb. 7, 1989]

**PART 810—OFFICIAL UNITED STATES STANDARDS FOR GRAIN**

**Subpart A—General Provisions**

TERMS DEFINED

Sec.

810.101 Grains for which standards are established.

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**Subpart B—United States Standards for Barley**

TERMS DEFINED

810.201 Definition of barley.

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SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

810.207 Special grades and special grade requirements.

**Subpart C—United States Standards for Canola—Terms Defined**

810.301 Definition of canola.

810.302 Definitions of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.303 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.304 Grades and grade requirements for canola.

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810.305 Special grades and special grade requirements.

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TERMS DEFINED

810.401 Definition of corn.

810.402 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.403 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.404 Grades and grade requirements for corn.

SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

810.405 Special grades and special grade requirements.

**Subpart E—United States Standards for Flaxseed**

TERMS DEFINED

810.601 Definition of flaxseed.

810.602 Definition of other terms.

PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.603 Basis of determination.

GRADES AND GRADE REQUIREMENTS

810.604 Grades and grade requirements for flaxseed.

**Subpart F—United States Standards for Mixed Grain**

## TERMS DEFINED

- 810.801 Definition of mixed grain.  
810.802 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.803 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.804 Grades and grade requirements for mixed grain.

## SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

- 810.805 Special grades and special grade requirements.

**Subpart G—United States Standards for Oats**

## TERMS DEFINED

- 810.1001 Definition of oats.  
810.1002 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1003 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.1004 Grades and grade requirements for oats.

## SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

- 810.1005 Special grades and special grade requirements.

**Subpart H—United States Standards for Rye**

## TERMS DEFINED

- 810.1201 Definition of rye.  
810.1202 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1203 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.1204 Grades and grade requirements for rye.

## SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

- 810.1205 Special grades and special grade requirements.

**Subpart I—United States Standards for Sorghum**

## TERMS DEFINED

- 810.1401 Definition of sorghum.  
810.1402 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1403 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.1404 Grades and grade requirements for sorghum.

## SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

- 810.1405 Special grades and special grade requirements.

**Subpart J—United States Standards for Soybeans**

## TERMS DEFINED

- 810.1601 Definition of soybeans.  
810.1602 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1603 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.1604 Grades and grade requirements for soybeans.

## SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

- 810.1605 Special grades and special grade requirements.

**Subpart K—United States Standards for Sunflower Seed**

## TERMS DEFINED

- 810.1801 Definition of sunflower seed.  
810.1802 Definition of other terms.

## PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

- 810.1803 Basis of determination.

## GRADES AND GRADE REQUIREMENTS

- 810.1804 Grades and grade requirements for sunflower seed.

**Subpart L—United States Standards for Triticale**

## TERMS DEFINED

- 810.2001 Definition of triticale.  
810.2002 Definition of other terms.

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### PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.2003 Basis of determination.

#### GRADES AND GRADE REQUIREMENTS

810.2004 Grades and grade requirements for triticale.

#### SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

810.2005 Special grades and special grade requirements.

### Subpart M—United States Standards for Wheat

#### TERMS DEFINED

810.2201 Definition of wheat.

810.2202 Definition of other terms.

### PRINCIPLES GOVERNING THE APPLICATION OF STANDARDS

810.2203 Basis of determination.

#### GRADES AND GRADE REQUIREMENTS

810.2204 Grades and grade requirements for wheat.

#### SPECIAL GRADES AND SPECIAL GRADE REQUIREMENTS

810.2205 Special grades and special grade requirements.

AUTHORITY: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

EFFECTIVE DATE NOTE: At 71 FR 52406, Sept. 6, 2006, part 810 was amended by revising the authority citation, effective Sept. 1, 2007. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 7 U.S.C. 71-87k.

SOURCE: 52 FR 24418, June 30, 1987, unless otherwise noted.

### Subpart A—General Provisions

NOTE: Compliance with the provisions of these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

#### TERMS DEFINED

### § 810.101 Grains for which standards are established.

Grain refers to barley, canola, corn, flaxseed, mixed grain, oats, rye, sorghum, soybeans, sunflower seed, triticale, and wheat. Standards for these food grains, feed grains, and oil-

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seeds are established under the United States Grain Standards Act.

[57 FR 3274, Jan. 29, 1992]

### § 810.102 Definition of other terms.

Unless otherwise stated, the definitions in this section apply to all grains. All other definitions unique to a particular grain are contained in the appropriate subpart for that grain.

(a) *Distinctly low quality.* Grain that is obviously of inferior quality because it is in an unusual state or condition, and that cannot be graded properly by use of other grading factors provided in the standards. Distinctly low quality includes the presence of any objects too large to enter the sampling device; i.e., large stones, wreckage, or similar objects.

(b) *Moisture.* Water content in grain as determined by an approved device according to procedures prescribed in FGIS instructions.

(c) *Stones.* Concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate in water.

(d) *Test weight per bushel.* The weight per Winchester bushel (2,150.42 cubic inches) as determined using an approved device according to procedures prescribed in FGIS instructions. Test weight per bushel in the standards for corn, mixed grain, oats, sorghum, and soybeans is determined on the original sample. Test weight per bushel in the standards for barley, flaxseed, rye, sunflower seed, triticale, and wheat is determined after mechanically cleaning the original sample. Test weight per bushel is recorded to the nearest tenth pound for corn, rye, triticale, and wheat. Test weight per bushel for all other grains, if applicable, is recorded in whole and half pounds with a fraction of a half pound disregarded. Test weight per bushel is not an official factor for canola.

(e) *Whole kernels.* Grain with  $\frac{1}{4}$  or less of the kernel removed.

[52 FR 24418, June 30, 1987, as amended at 60 FR 61196, Nov. 29, 1995]

EFFECTIVE DATE NOTE: At 71 FR 52406, Sept. 6, 2006, § 810.102 was amended by revising paragraph (d), effective Sept. 1, 2007. For the convenience of the user, the revised text is set forth as follows: